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10 February 1955

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MINUTES OF MEETING OF THE COMMISSION OF FINE ARTS

HELD IN WASHINGTON, D. C., 10 FEBRUARY 1955

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David E. Finley, Chairman
Joseph Hudnut
Felix W. de Weldon
Elbert Peets
George Biddle
Pietro Belluschi

also Linton R. Wilson, Secretary and Administrative Officer.

The meeting was called to order by the Chairman at 9:30 a. m.

Proceedings:

1. MINUTES OF MEETING OF 16 AND 17 SEPTEMBER, AND 10 NOVEMBER 1954: The minutes of the meeting of 16 and 17 September, and 10 November 1954 were approved.

2. CONSTITUTION AVENUE BRIDGE: The first order of business concerned the projected Constitution Avenue Bridge across the Potomac River. Chairman Finley, quoting from figures given by Mr. Ole Singstad, Professional Engineer and Tunnel Expert of New York, defended the feasibility of a tunnel extension to Constitution Avenue under the Potomac River. Mr. Singstad had presented his revised plans for a tunnel at an open meeting of the National Capital Planning Commission on 4 February 1955, which the Chairman and Secretary of the Commission of Fine Arts had attended. The Chairman stated that according to Mr. Singstad, a four-lane tunnel could be built for $25,000,000 with about $2,000,000 for approaches and for adjusting the elevation of the bridge on the Virginia side. Cost of a six-lane tunnel

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would be $35,000,000, rather than the $90,000,000 estimated by bridge advocates in their computations.

The Chairman stated that the local press seemed inclined to favor a bridge rather than a tunnel. Based on District Highway Department estimates, metropolitan newspapers had figured that the tunnel approaches alone would cost $17,000,000, bringing the estimated cost of the tunnel to $42,000,000, in comparison to the District's figures of $7,000,000 for a bridge and $17,500,000 for bridge approaches, or a total of $26,000,000.

Mr. Harry T. Thompson, Associate Superintendent of National Capital Parks, who had been active in working with Mr. Singstad on the tunnel scheme, had been invited to attend the meeting and to brief the members further. The New York tunnel expert, Mr. Thompson declared, advocated a four-lane tunnel as sufficient to handle traffic, basing his recommendation on the fact that a bridge running parallel already exists, another crossing is contemplated at Roaches Run, as well as plans for widening Key Bridge.

The speaker further explained that there were a "great many schemes" as to how much would be included in planning the tunnel approaches. He himself favored approaches "leading into the parkway, and completion of all the roads which lead to Constitution Avenue, plus the cost of an overhead crossing at 23rd Street."

On the other hand, he continued, the District's scheme for tunnel-bridge approaches entailed, on the Virginia side, "having all the roads up to the Arlington Ridge Road, interconnected; and, on the District side, it included grade separations, development and construction of two roads through the Mall eastward to and around the Washington Monument, and also the development of a series of overhead crossings as far as 12th Street."

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The Associate Superintendent emphasized, however, that he believed the cost of a tunnel should be kept independent of the cost of any circumferential highways.

"It would seem to me," he stressed, "that the best answer would be to have the Federal government build the tunnel and let the District develop its own system of streets; and if it costs $17,000,000 or $70,000,000, let them do it; if Virginia requires additional costs, let Virginia do it."

Chairman Finley made the additional point that "the cost of the tunnel should include bringing it to a point to make it function at the level necessary."

Mr. Thompson then described the proposed tunnel to the members, giving location of portals, ventilation towers, etc. He said all factors, including potential floods and revision of existing bridges, had been considered and added that the United States Army Corps of Engineers, who are in charge of navigation and flood control, had endorsed construction of a tunnel. The discovery of a series of 76 previous test borings had helped provide adequate data on which to base Mr. Singstad's analysis.

Chairman Finley informed members that it was his understanding that both the Capital Planning Commission, represented by the Chairman, Mr. Harland Bartholomew, and National Park Service, represented by the Director, Mr. Conrad L. Wirth, were personally in favor of a tunnel built by open trench method but that opposition still was voiced by the new Engineer Commissioner of the District, Colonel Thomas A. Lane, who is actually charged with proceeding with bridge plans. Colonel Lane's group, on advice of a tunnel expert of their selection, had previously abandoned plans for a tube as "being unrealistic and too expensive."

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Chairman Finley expressed the hope that President Eisenhower would recommend an amendment to the Bridge Act giving the National Park Service control of the approaches in Potomac Park. Mr. de Weldon wondered whether "it would not be most practical to have an amendment to existing legislation introduced in both Houses, under pressure of public opinion, to amend the existing bill in such a way as to authorize a tunnel instead of a bridge."

The members agreed that public opinion had not been sufficiently "sparked." Professor Belluschi urged that an article written by Dr. Hudnut be published with a series of photographs taken by Mr. Thompson from various stations up and down the river for use as a "powerful argument" in awakening civic consciousness in the nation's capital.

Chairman Finley opposed Mr. Biddle's idea of sending the article to Congressmen with a forwarding letter from the Commission, since the Commission's advisory functions preclude any form of lobbying. Mr. de Weldon mentioned his belief that the Marine Corps Veterans Association might oppose the Bridge Act, since a bridge at that juncture of the river would ruin the setting of the new Marine Memorial commemorating the flag-raising on Mt. Surabachi, Iwo Jima.

Mr. Thompson made the point that original legislation failed to request that the Commission approve as well as review plans for a bridge (Exhibit A). Mr. Peets added the Act provides for the approval by the Commission of architectural details but not of the location of the bridge. In conclusion Mr. Thompson advised the members that "no corrective legislation" was being prepared within the Interior Department.

In support of the Interior Department's recommendation to the President that the bridge bill be amended, it was agreed that a letter would be

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drafted and sent by the Commission of Fine Arts to the President requesting that Public Law 704-83rd Congress be amended to provide for the construction of a tunnel instead of a bridge at Constitution Avenue, Northwest (Exhibit A-1).

3. GIFT TO THE UNITED STATES - "LABORING YOUTH," SCULPTURE BY HERMANN BLUMENTHAL: Chairman Finley informed the Commission that a bronze, life-sized statue of a kneeling youth with hands upraised had been presented to President Eisenhower by the German Ambassador as a gift of the people of Germany to the people of the United States. The Chairman attended the presentation ceremonies on 25 January 1955 at the National Collection of Fine Arts in the Natural History Museum.

A suitable location for this gift is being sought by the National Collection of Fine Arts, and the assistance of the Commission was requested by the Secretary of the Smithsonian Institution. The assistance of the National Capital Parks had also been requested. Mr. Thompson, who surveyed all public buildings and their courts to find an appropriate place, mentioned several areas and expressed the thought that a bronze statue of this type would show to best advantage in a paved park or outdoor plot. The members reserved decision until viewing the statue. Following adjournment of the morning session, the members inspected the statue and viewed the landscaped court and vestibule of the Labor Department as possible sites for the statue. It was decided that the Chairman and the Secretary would consider other sites before a definite location was chosen.

4. NATIONAL ACADEMY OF DESIGN RECOMMENDATIONS: Chairman Finley read a letter from Mr. Fred S. Poorman, Acting Commissioner of Public Buildings, in which the Public Buildings Service expressed variance with the recommendations on architecture of the National Academy of Design (Exhibit B).

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The Academy proposed that panels of designers in the fields of architecture, sculpture, mural painting and postage stamps serve as members of a council to act as advisers to federal agencies in the selection of artists for proposed projects. In the letter Mr. Poorman explained his organization wished to continue their normal procedure based on a policy of giving preference to architects in the area in which the project is to be erected.

The Chairman directed the Secretary to forward to the President of the National Academy of Design copies of correspondence which had been exchanged between the Commission of Fine Arts and the government agencies to which the National Academy of Design's recommendations applied (Exhibits B-1 and B-2).

In the discussion, the Chairman also brought out the point that new legislation recommended by the President to set up a non-governmental advisory commission to the Secretary of Health, Education and Welfare relating to creative arts in the states would not impinge on the duties of the Commission of Fine Arts and was not a result of the National Academy of Design's recommendations.

5. POST OFFICE DEPARTMENT - NEW STAMP DESIGN: Mr. Wilson opened the discussion by stating the Post Office Department is eager to cooperate with the Commission of Fine Arts to produce stamps of the highest quality.

Mr. Robert E. Fellers, Director, Division of Philately, Post Office Department, then entered the meeting. He stated he would appreciate outside advice from artists who can be reached easily for consultation.

The Director voiced his dissatisfaction with a centennial design of the opening of the Soo Locks on the Great Lakes and displayed the stamp drawing for inspection by the members. Mr. Belluschi and other members expressed disappointment in the work and urged the need for a competition to produce fresh ideas in graphic design. Mr. Fellers replied that his department had funds to buy designs, but not to conduct competitions.

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Mr. Belluschi, thereupon, proposed that, since the Department had insufficient funds for a competition, graphic sections of modern museums and allied organizations conduct competitions on their initiative from which the Post Office could select and purchase a winning design.

"Establish some system by which you would not be involved financially but still, at the same time, there would be a selection by some artist from whom you could buy a design," elaborated Mr. Belluschi.

The Chairman suggested that the Commission could write a letter to the National Academy, whose services had been offered, saying that the Post Office Department had a particular commemorative issue scheduled in June and requesting the Academy to set up a committee to advise on the design (Exhibit B-1). Mr. Fellers was agreeable to the idea of making a trip to New York for consultation with Academy representatives.

At the close of the discussion, Mr. Finley warmly complimented Mr. Fellers for his willingness to work with the Commission, and Mr. Fellers in turn expressed his gratitude to the Commission for their assistance.

6. AMERICAN MILITARY CEMETERY AT HAMM, LUXEMBOURG: Colonel Charles B. Shaw, Officer in Charge, American Battle Monuments Commission, and Mr. John Harbeson, Consulting Architect, presented a revised rendering of a scheme for the memorial in the Military Cemetery at Hamm, Luxembourg, prepared by Mr. Francis Keally of New York and approved on 9 December 1954 by the American Battle Monuments Commission. Copies of the rendering had been sent to the members of the Commission of Fine Arts for consideration prior to today's meeting.

The Commission discussed the plan; and after careful study, the scheme was approved in general. A report was sent to the American Battle Monuments Commission accordingly (Exhibit C - Also C-1).

7. BRIGADIER GENERAL WILLIAM L. MITCHELL STATUE BY BRUCE MOORE:

Dr. John L. Keddy, Assistant Secretary, Smithsonian Institution, introduced Mr. Paul E. Garber, Head Curator, National Air Museum, and Mr. Thomas M. Beggs, Director, National Collection of Fine Arts, and requested the Commission's counsel on the small scale model of a statue of General Mitchell which when completed will stand seven feet in height. He then presented the sculptor, Mr. Bruce Moore, who read a prepared memorandum describing the statue (Exhibit D). Mr. Moore elaborated that Mrs. Byrd, the General's widow, had donated four flags - representing the Signal Corps, Cavalry, Infantry, Air Corps, and the United States - which actually were in the hero's office throughout his military career and which now are the property of the Air Museum. Mr. Garber previously had read from Public Law 722-79th Congress, which both authorized acceptance of payment for a gift to the Smithsonian of the statue and establishment of the Air Museum which eventually is expected to house the proposed bronze statue of General Mitchell in its Air National Hall of Fame. Mr. Moore envisioned the flags as a fitting backdrop for his work when it is finally placed in the Hall of Fame.

The Head Curator interpolated that design studies for the Air Museum building, now housed in the Smithsonian, have been undertaken by McKim, Mead and White of New York City.

Members carefully studied the small-scale model of the aviation pioneer standing as though braced resolutely against the propeller wash of the planes he so staunchly defended. Mr. de Weldon promptly moved that it be approved and the motion was seconded by Dr. Hudnut, Mr. Peets and Mr. Biddle. In conclusion Mr. Finley congratulated Mr. Moore on having so successfully captured the spirit of the Army leader. A report was sent to the Smithsonian Institution accordingly (Exhibit D-1).

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8. DEPARTMENT OF AGRICULTURE - PORTRAIT OF SECRETARY EZRA TAFT BENSON: At the request of the Department of Agriculture (Exhibit E), the Commission considered samples of work of three artists who had applied to that Department for assignment to paint the portrait of Secretary of Agriculture, Ezra Taft Benson.

The members discussed the problem of getting good portraits for the government departments, and a letter was prepared (Exhibit E-1) enclosing a list of names which the Commission of Fine Arts considered well qualified to produce portraits of high standards.

9. GEORGETOWN PRESBYTERIAN CHURCH - 3115 P STREET, NORTHWEST (SEE O. G. 1027): The plans, by Mr. Lorenzo Winslow, architect, to rebuild and renovate the Georgetown Presbyterian Church were reviewed informally. The Board of Architectural Consultants, of which Mr. Winslow is a member, had considered the plans on 1 February and 8 February 1955, but took no action in the absence of the Chairman.

In view of the historical significance of the Presbyterian church, the Secretary referred the plans to the Commission informally. The projected design involved the razing of Cissel Chapel which was built in 1866, when the congregation moved from the M Street site of the original church. The architectural structural shell of the church which was an exact reproduction of the M Street church with later additions will be retained and restored to an approximation of the federal period structure.

The members of the Commission were not happy about the general appearance of the design and felt that the architect did not achieve a successful interpretation of the Georgetown style. Mr. Belluschi asked to be put on record as disapproving the design, saying "It is a statement of contemporary thought in church design and it is bad for Georgetown." The

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members of the Commission decided not to take any further action on the design since it had already been approved by the building committee and the congregation. The Chairman stated that he would talk to the architect about the possibility of restudying and simplifying the design.

10. FREER GALLERY OF ART: In accordance with the usual custom, the Commission visited the Freer Gallery of Art, where the Director, Mr. Wenley, submitted a number of works of art proposed for purchase. The Commission was pleased to inspect the objects and approved them for purchase (Exhibit F).

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The Commission adjourned at 1:40 p.m. for lunch at the National Gallery of Art and reconvened at 2:30 p.m. in the Conference Room, National Gallery of Art

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11. LEGISLATION:

(1) FEDERAL ADVISORY COMMISSION ON THE ARTS: The Secretary reported that a request, under date of 2 December 1954, had been received from the Legislative Reference Branch, Bureau of the Budget (Exhibit G) for an expression of the Commission's views with respect to a draft of a proposed bill "to provide for the establishment of a Federal Advisory Commission on the Arts, and for other purposes." The draft bill had originated within the Department of Health, Education, and Welfare.

Copies of the bill, which had been received too late to be considered at the 2 December 1954 meeting, were sent to the members for their consideration. It was understood that this legislation had the backing of the Administration, which was borne out when, on 6 January 1955, the speech of the President to Congress on the State of the Union referred to legislation on the Fine Arts as follows:

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"In the advancement of the various activities which will make our civilization endure and flourish, the Federal Government should do more to give official recognition to the importance of the arts and other cultural activities. I shall recommend the establishment of a Federal Advisory Commission on the Arts within the Department of Health, Education, and Welfare, to advise the Federal Government on ways to encourage artistic and cultural endeavor and appreciation. I shall also propose that awards of merit be established whereby we can honor our fellow citizens who make great contributions to the advancement of our civilization and of this country."

Since the bill proposed to establish within the Department of Health, Education, and Welfare an art commission of an advisory nature, the Commission of Fine Arts agreed that it should be made clear in the legislation that the duties of the proposed advisory commission would not conflict with those of the Commission of Fine Arts.

Accordingly, a reply was drafted and forwarded on 10 December 1954 to the Bureau of the Budget (Exhibit G-1).

Under date of 10 January 1955, a letter was received from the Acting Secretary of the Department of Health, Education, and Welfare in which he indicated that Department's acceptance of the Commission's suggested amendment to their draft bill establishing a Federal Advisory Commission on the Arts (Exhibit G-2).

(2) AMERICAN NATIONAL ARTS ACT:

H. R. 2210-84th Congress, A Bill "to establish a program of grants to States for the development of fine arts programs and projects, and for other purposes."

H. R. 2625-84th Congress, A Bill "to establish a program of grants to States for the development of fine arts programs and projects, and for other purposes." (Exhibit X).

The House Committee on Education and Labor requested the Commission of Fine Arts to furnish them with a report on the above bills.

A letter was drafted but was not sent since the bills were superseded by other legislation such as H. R. 4698, H. R. 5040;

"In the advancement of the various activities which will make our civilization endure and flourish, the Federal Government should do more to give official recognition to the importance of the arts and other cultural activities. I shall recommend the establishment of a Federal Advisory Commission on the Arts within the Department of Health, Education, and Welfare, to advise the Federal Government on ways to encourage artistic and cultural endeavor and appreciation. I shall also propose that awards of merit be established whereby we can honor our fellow citizens who make great contributions to the advancement of our civilization and of this country."

Since the bill proposed to establish within the Department of Health, Education, and Welfare an art commission of an advisory nature, the Commission of Fine Arts agreed that it should be made clear in the legislation that the duties of the proposed advisory commission would not conflict with those of the Commission of Fine Arts.

Accordingly, a reply was drafted and forwarded on 10 December 1954 to the Bureau of the Budget (Exhibit G-1).

Under date of 10 January 1955, a letter was received from the Acting Secretary of the Department of Health, Education, and Welfare in which he indicated that Department's acceptance of the Commission's suggested amendment to their draft bill establishing a Federal Advisory Commission on the Arts (Exhibit G-2).

(2) AMERICAN NATIONAL ARTS ACT:

H. R. 2210-83th Congress, A Bill "to establish a program of grants to States for the development of fine arts programs and projects, and for other purposes."

H. R. 2625-83th Congress, A Bill "to establish a program of grants to States for the development of fine arts programs and projects, and for other purposes." (Exhibit K).

The House Committee on Education and Labor requested the Commission of Fine Arts to furnish them with a report on the above bills.

A letter was drafted but was not sent since the bills were superseded by other legislation such as H. R. 4698, H. R. 5040;

(3) The following bills were reviewed as pending legislation on which the Commission will probably be asked to report. The Chairman outlined the main issues involved in each instance. The intention of the discussion of the legislation was to serve as background material:

H. R. 21-84th Congress, A bill "creating a Federal commission to formulate plans for the construction in the District of Columbia of a civic auditorium including an Inaugural Hall of Presidents and a music, fine arts, and mass communications center."

H. R. 116-84th Congress, A bill "to provide for the establishment of a National War Memorial Theater and opera house, and for other purposes."

H. R. 1760-84th Congress, A bill "to provide for the construction of certain Government buildings in the District of Columbia."

H. R. 2968-84th Congress, A bill "to establish a commission to prepare a plan for the removal of temporary Government buildings in the District of Columbia, for the accomodation in other buildings of the personnel employed in such temporary buildings, and for other purposes."

12. BUDGET FOR FISCAL YEAR 1956 - REPORT ON: The Secretary stated that he and the Chairman had attended hearings before the House Subcommittee on Interior Appropriations on 3 February 1955 and had presented the 1956 fiscal year estimates on behalf of the Commission. The statement is appended. (Exhibit H).

13. NEXT MEETING OF THE COMMISSION OF FINE ARTS: The date of the next meeting of the Commission of Fine Arts was set for 10 March 1955. The March meeting subsequently was postponed to 15 March 1955 for the convenience of new members whose appointments by executive order, for terms of four years and until their successors are appointed, were announced on 18 February 1955 as follows:

(3) The following bills were reviewed as pending legislation on which the Commission will probably be asked to report. The Chairman outlined the main issues involved in each instance. The intention of the discussion of the legislation was to serve as background material:

H. R. 21-83th Congress, A bill "creating a Federal commission to formulate plans for the construction in the District of Columbia of a civic auditorium including an Inaugural Hall of Presidents and a music, fine arts, and mass communications center."

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H. R. 1750-83th Congress, A bill "to provide for the construction of certain Government buildings in the District of Columbia."

H. R. 2968-83th Congress, A bill "to establish a commission to prepare a plan for the removal of temporary Government buildings in the District of Columbia, for the accomodation in other buildings of the personnel employed in such temporary buildings, and for other purposes."

12. SUPPLEMENT FOR FISCAL YEAR 1956 - REPORT ON: The Secretary stated that he and the Chairman had attended hearings before the House Subcommittee on Interior Appropriations on 3 February 1955 and had presented the 1956 fiscal year estimates on behalf of the Commission. The statement is appended. (Exhibit H).

13. NEXT MEETING OF THE COMMISSION OF FINE ARTS: The date of the next meeting of the Commission of Fine Arts was set for 10 March 1955. The March meeting subsequently was postponed to 15 March 1955 for the convenience of new members whose appointments by executive order, for terms of four years and until their successors are appointed, were announced on 18 February 1955 as follows:

IMMEDIATE RELEASE February 18, 1955

JAMES C. HAGERTY, PRESS SECRETARY TO THE PRESIDENT

THE WHITE HOUSE

THE PRESIDENT TODAY MADE THE FOLLOWING APPOINTMENTS:

To be members of the Commission of Fine Arts for terms of four years and until their successors are appointed and qualified:

Mrs. Emily Muir, of Stonington, Maine
(Artist)
William Graves Perry, of Andover, Massachusetts
(Architect)
Felix W. de Weldon, of the District of Columbia
(Sculptor)
Elbert Peets, of the District of Columbia
(Landscape Architect)
Douglas William Orr, of Stony Creek, Connecticut
(Architect)
Wallace Kirkman Harrison, of Huntington, New York
(Architect)

Mr. Peets and Mr. de Weldon are reappointments. The other four new members replace Joseph Hudnut and Pietro Belluschi, whose terms expired June 19, 1954, and Edward F. Neild, Sr., whose resignation was accepted September 25, 1954, effective upon the appointments of a successor, and George Biddle, whose resignation was accepted today.

The seventh member and chairman of the Commission is David E. Finley of the District of Columbia.

The Commission adjourned at 3:25 p. m.

JAMES C. HAGERTY, PRESS SECRETARY TO THE PRESIDENT

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The Commission adjourned at 3:25 p. m.

C O P Y

DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
NATIONAL CAPITAL PARKS
Washington 25, D. C.

February 3, 1955

Memorandum

To: Director, National Park Service

From: Associate Superintendent, National Capital Parks

Subject: Potomac River Bridge Legislation

I understand, although I have not yet seen it, that corrective legislation is now being prepared, in compliance with the President's instruction to the Secretary at the time he signed the Potomac River Bridge Bill, which is designed to accomplish the same objectives of the President's directive as were outlined in the reorganization plan submitted to him for consideration. The bridge bill enacted requests that the Commission of Fine Arts advise the District Commissioners on the architectural details of the bridge they propose to build. We have reason to believe that the plans will be submitted to the Commission of Fine Arts, that they will rest for a 90-day period with that Commission and thereafter, the Commissioners having complied with the provision of the law, will proceed to build a bridge of their own selection.

If it is not too late, may I suggest that in preparation of corrective legislation the Commission of Fine Arts be extended the authority to approve the design of a bridge at the Constitution Avenue crossing. In David Finley's letter to the Secretary, of November 10, 1954, the Commission of Fine Arts recommends that "a tunnel be substituted for the proposed bridge," continuing with the request that the Secretary will bring this matter to the attention of the President believing that the President might be willing to ask the Congress for further consideration of this matter.

Associate Superintendent

EXHIBIT A

COPY

DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
NATIONAL CAPITAL PARKS
Washington 25, D. C.

February 3, 1955

Memorandum

To: Director, National Park Service

From: Associate Superintendent, National Capital Parks

Subject: Potomac River Bridge Legislation

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Associate Superintendent

EXHIBIT A

C O P Y

THE COMMISSION OF FINE ARTS
7000 INTERIOR DEPARTMENT BUILDING
WASHINGTON 25, D. C.

February 16, 1955

My dear Mr. President:

The Commission of Fine Arts, at a meeting held on November 10, 1954, gave consideration to the proposed bridge which had been authorized by the Congress to be erected over the Potomac River between the Memorial Bridge and Theodore Roosevelt Island. The Commission felt that further study should be given to this matter, especially in view of the following statement issued by you on August 30, 1954, when you signed the bill authorizing the construction of the bridge:

> "The bridge, with its high traffic volume,, will have a serious impact on some of the most important of the national memorials. It can affect importantly the effectiveness of the memorial concept of Arlington Memorial Bridge, which symbolizes the reunion of the North and South and provides a monumental approach to Arlington National Cemetery. It can infringe upon the Water Gate design as a monumental entrance to the Mall from the Potomac River. Most serious of all could be the effect of the bridge on the beautiful setting of the Lincoln Memorial."

In the opinion of the Commission, the bridge to be erected over the Potomac River between the Memorial Bridge and Theodore Roosevelt Island would seriously affect the beauty of these memorials. The Mall terminating in the Memorial Bridge and the wide expanse of the river, with the wooded island given to the Nation as a memorial to Theodore Roosevelt, provide a setting of incomparable beauty for the Lincoln Memorial and form perhaps the finest civic landscape in America. It is of the utmost importance that this landscape should not be marred by the intrusion of another bridge at this point.

I stated these views at a hearing held by the Senate Committee on the District of Columbia on July 15, 1954. They were stated also in a letter, dated August 25, 1954, from the Commission to the Executive Office of the President, Bureau of the Budget, saying that the Commission could not endorse the erection of a bridge between Memorial Bridge and Theodore Roosevelt Island.

The Commission felt that, if no other site is available for a bridge, an additional thoroughfare between the Virginia suburbs and the center of Washington should be provided by means of a tunnel under the river. The Commission communicated these views to the Secretary of the Interior in

COPY

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7000 INTERIOR DEPARTMENT BUILDING
WASHINGTON 25, D. C.

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The Commission felt that, if no other site is available for a bridge, an additional thoroughfare between the Virginia suburbs and the center of Washington should be provided by means of a tunnel under the river. The Commission communicated these views to the Secretary of the Interior in

a letter dated November 10, 1954, and asked that their recommendations be brought to your attention.

Subsequently, at a meeting of the Commission held on February 10, 1955, further consideration was given to the question of substituting a tunnel for a bridge over the Potomac river between Memorial Bridge and Theodore Roosevelt Island if no other site for a bridge is available. I informed the Commission that I had recently attended a meeting of the National Capital Planning Commission at which a report was made by Mr. Ole Singstad, an engineer and expert on the building of tunnels, who had been requested by the National Society of Professional Engineers to investigate the feasibility of substituting a tunnel for the bridge which has been authorized in the vicinity of the Lincoln Memorial. The Commission of Fine Arts were pleased to learn that in the opinion of Mr. Singstad, after careful investigation, the cost of building a tunnel under the river would not be excessive as compared with the cost of erecting a bridge at approximately the same location.

The Commission, therefore, hope that, on receipt of information from the Secretary of the Interior as to the feasibility and cost of building such a tunnel, careful consideration will be given to this proposal and that you may be willing to recommend to the Congress that existing legislation be amended to this end.

For the Commission of Fine Arts:

Sincerely yours,

David E. Finley
Chairman

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For the Commission of Fine Arts:

Sincerely yours,

David K. Finley
Chairman

C O P Y

GENERAL SERVICES ADMINISTRATION
PUBLIC BUILDINGS SERVICE
WASHINGTON 25, D. C.

January 31, 1955

In Reply Refer To: PCD

Honorable David E. Finley
Chairman
Commission of Fine Arts
Washington, D. C.

Dear Mr. Finley:

Your letter of November 15, 1954, approved certain recommendations made by the Executive Committee of the National Academy of Design, with reference to the selection of architects, sculptors and mural painters by this Service.

The procedure recommended for the selection of architects to perform architectural and engineering services, under contract to this Service, has been carefully weighed. In fact, we followed this procedure in the fall of 1953 in the selection of architects for a very large project of tremendous public interest. The results were satisfactory. However, I believe, we would have achieved the same results had we employed our normal procedure which is less costly and time consuming.

Our normal procedure is based on the policy of giving preference to architects in the area in which the project is to be erected. At the appropriate time, information is obtained by questionnaires from these architects (some of which may not be AIA members). Based upon the information supplied by these questionnaires, a panel composed of the Director of Design and Construction, the Supervising Architect and the Architect in charge of Professional Services selects and recommends to the Commissioner of Public Buildings the firm or firms best qualified to perform the required services, taking into consideration design ability, technical sufficiencies, records of performance, organization, etc.

We propose, as a general practice, to continue this procedure.

As to the selection of sculptors and mural painters, we feel that the close collaboration of your Commission and the Public Buildings Service in the recent past has produced very excellent results. I believe it advisable because of the quality of art obtained through the present procedure to continue with it.

As indicated in your letter, the interest of the Fine Arts Commission and the National Academy of Design is the same as that of Public Buildings Service, namely, to obtain the best possible results whether it be in the field of architecture, sculpture or mural painting, and within geographic areas to select, in each instance, the architect, sculptor or mural painter best qualified to participate in obtaining such results.

EXHIBIT B

COPY

GENERAL SERVICES ADMINISTRATION
PUBLIC BUILDINGS SERVICE
WASHINGTON 25, D. C.

January 31, 1955

In Reply Refer To: PBS

Honorable David E. Finley
Chairman
Commission of Fine Arts
Washington, D. C.

Dear Mr. Finley:

Your letter of November 15, 1954, approved certain recommendations made by the Executive Committee of the National Academy of Design, with reference to the selection of architects, sculptors and mural painters by this Service.

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- [illegible] -

Honorable David E. Finley

We appreciate your interest and assure you that we shall continue to strive for excellence in art and architecture in Federal buildings.

Sincerely yours,
Sgd. Fred S. Poorman
Acting Commissioner
of Public Buildings

Honorable David E. Finley

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Sincerely yours,

Sgd. Fred S. Poorman
Acting Commissioner
of Public Buildings

C O P Y

THE COMMISSION OF FINE ARTS
7000 Interior Department Building
Washington D. C.

14 February 1955

Mr. Lawrence Grant White, President
National Academy of Design
1083 Fifth Avenue
New York 28, New York

Dear Mr. White:

I am enclosing herewith for your information and consideration copies of letters received by the Commission of Fine Arts from The Bureau of Engraving and Printing, Treasury Department, and from The Post Office Department. These letters are favorable replies to queries made by the Commission of Fine Arts with reference to Recommendation (4) POSTAGE STAMPS in your letter of 30 June 1954.

On 10 February 1955, Mr. Robert Fellers, Director, Division of Philately, Bureau of Finance, met with the Commission and repeated the willingness of the Post Office Department and the Bureau of Engraving and Printing to proceed at once with establishing an advisory council in line with Recommendation (4). He emphasized, however, that it is very desirable that the artist members of the Council be readily available at quick notice for consultation on new designs for stamps.

In view of the urgency to get the Council started, the Members of the Commission hope that the National Academy of Design will be willing to assist Mr. Fellers in selecting three qualified artists who reside within easy access of Washington. Mr. Fellers thinks it will speed up matters considerably if he could discuss the matter with you directly. He also has some stamp designs on which he would like advice, and is willing to go to New York at your earliest convenience. If you agree, kindly advise me of a suitable date and I will inform Mr. Fellers.

With kindest regards, I am

Sincerely yours,

David E. Finley
Chairman

cc:

Bureau of Engraving and Printing
Treasury Department
Division of Philately, Post Office Department

EXHIBIT B-1

COPY

EXHIBIT B-1

C O P Y

THE COMMISSION OF FINE ARTS
7000 INTERIOR DEPARTMENT BUILDING
WASHINGTON 25, D. C.

14 February 1955

Mr. Lawrence Grant White
President, National Academy of Design
1083 Fifth Avenue
New York 28, New York

Dear Mr. White:

I am enclosing herewith for your information a copy of a letter received by the Commission of Fine Arts from the Public Buildings Service, General Services Administration. The letter is a reply to a query made by the Commission of Fine Arts with reference to Recommendations (1) ARCHITECTURE, (2) SCULPTURE and (3) MURAL PAINTING in your letter of 30 June 1954.

It is noted that, after careful consideration, the Public Buildings Service proposes to continue the current procedure in the selection of architects, painters and sculptors.

For the Commission of Fine Arts:

Sincerely yours,
Sgd. David E. Finley
Chairman

Enclosure

cc to : Mr. Fred S. Poorman
PBS, GSA

EXHIBIT B-2

COPY

THE COMMISSION OF FINE ARTS
7000 INTERIOR DEPARTMENT BUILDING
WASHINGTON 25, D. C.

14 February 1955

Mr. Lawrence Grant White
President, National Academy of Design
1083 Fifth Avenue
New York 28, New York

Dear Mr. White:

I am enclosing herewith for your information a copy of a letter received by the Commission of Fine Arts from the Public Buildings Service, General Services Administration. The letter is a reply to a query made by the Commission of Fine Arts with reference to Recommendations (1) ARCHITECTURE, (2) SCULPTURE and (3) MURAL PAINTING in your letter of 30 June 1954.

It is noted that, after careful consideration, the Public Buildings Service proposes to continue the current procedure in the selection of architects, painters and sculptors.

For the Commission of Fine Arts:

Sincerely yours,
Sgd. David E. Finley
Chairman

Enclosure

cc to : Mr. Fred S. Poorman
PBS, GSA

C O P Y

THE COMMISSION OF FINE ARTS
Interior Department Building
Washington 25, D. C.

17 February 1955

Brig. Gen. Thomas North USA, Secretary
The American Battle Monuments Commission
2080 Main Navy Building
Washington D. C.

Dear General North:

The members of the Commission of Fine Arts were pleased to have Colonel Charles Shaw and Mr. John Harbeson of the Battle Monuments Commission Staff present the revised drawings of Mr. Francis Keally's design for the American Memorial at Luxembourg Military Cemetery, Hamm, Luxembourg at the meeting held 10 February 1955.

The features of the design were generally familiar to the members inasmuch as it had been previously presented by Mr. Harbeson at the meeting of the Commission held 17 June 1954, when various recommendations for changes in the design were made. In December 1954, at your suggestion, revised drawings were circulated by mail to the members for further consideration.

The Commission approved the design in general as presented, subject to four reservations, which the members asked Mr. Harbeson to convey to Mr. Keally on their behalf. The members were of the opinion that the details of the design should be developed along the following lines: (1) The design of the central building should be stressed primarily as a monument and a memorial; (2) the chapel feature of this building should be expressed by an entrance, but with care not to belittle the memorial idea; (3) the profile of the building should be simpler; and (4) the lighting of the building might be more suitably accomplished through sources of light on the two sides, or over the entrance on the front.

Mr. Harbeson stated that the favorable action on the part of this Commission will now enable the architect to proceed and establish the budget for the work, and to choose a sculptor and painter for the decorative work.

The Commission will be happy to consider further developments in the details of the design when they are ready.

For the Commission of Fine Arts:

Sincerely yours,

David E. Finley
Chairman

EXHIBIT C

EXHIBIT C

David E. Finley
Chairman

Sincerely yours,

For the Commission of Fine Arts:

The Commission will be happy to consider further developments in the details of the design when they are ready.

Mr. Harbeson stated that the favorable action on the part of this Commission will only enable the project to proceed and establish the budget for the work, and to obtain a sculptor and painter for the decorative work.

Mr. Harbeson explained the proposed location of the Memorial, pointing out the relation of the building to the Lincoln Memorial and the Washington Monument, and the importance of the building not to be overwhelmed through excesses of height or the trees, or over the entrance on the front.

The Commission (1) Approved the general location of the building as presented; (2) the general feature of the building should be expressed by an entrance, but with care not to block the Memorial Road; (3) the profile of the building should be lower; and (4) the lighting of the building might be more artfully accomplished through recesses of light or the trees, or over the entrance on the front; (5) the color of the stone may finally be determined by the Commission when a sample panel is erected. The members were of the opinion that the decision of this question should be developed from the following: (1) The color of the stone; (2) the general feature of the building should be expressed by an entrance, but with care not to block the Memorial Road; (3) the profile of the building should be lower; and (4) the lighting of the building might be more artfully accomplished through recesses of light or the trees, or over the entrance on the front.

Mr. Harbeson stated that the favorable action on the part of this Commission will only enable the project to proceed and establish the budget for the work, and to obtain a sculptor and painter for the decorative work.

The Commission will be happy to consider further developments in the details of the design when they are ready.

For the Commission of Fine Arts:

Sincerely yours,

David E. Finley
Chairman

The Commission of Fine Arts
Interior Department Building
Washington 25, D. C.

17 February 1937

Brig. Gen. Thomas North USA, Secretary
The American Battle Monuments Commission
2000 Main Navy Building
Washington D. C.

Dear General North:

The members of the Commission of Fine Arts were pleased to have Colonel Charles Sherrill, Mr. John Harbeson of the Battle Monuments Commission submit present the revised drawings of Mr. Francis Lee[illegible] for the American Memorial at Dunkerque [illegible] Dunkerque, France, [illegible] on the meeting on 15 February 1937.

The members of the Commission were pleased to see that [illegible] the Memorial [illegible] the site [illegible] the meeting of the Commission on 17 June 1936, when various recommendations for changes in the design were made. On December 1936, at [illegible] position, revised [illegible] submitted by [illegible] the members for further consideration.

The Commission approved the design in general as presented, subject to four reservations, which the members hope may be overcome. Harbeson be given to Mr. Lee[illegible] that: (1) The members were of the opinion that the detail of the design should be developed along the following lines: (1) The color of the stone; (2) the general feature of the building should be expressed by an entrance, but with care not to block the Memorial Road; (3) the profile of the building should be lower; and (4) the lighting of the building might be more artfully accomplished through recesses of light or the trees, or over the entrance on the front.

Mr. Harbeson stated that the favorable action on the part of this Commission will only enable the project to proceed and establish the budget for the work, and to obtain a sculptor and painter for the decorative work.

The Commission will be happy to consider further developments in the details of the design when they are ready.

For the Commission of Fine Arts:

Sincerely yours,

David E. Finley
Chairman

C O P Y

HARBESON HOUGH LIVINGSTON & LARSON ... ARCHITECTS
Architects Building, Philadelphia 3, Pennsylvania

23 February 1955

Re: No. 541 - ABMC
HAMM MEMORIAL

Hon. David E. Finley
Chairman, The Commission of Fine Arts
Interior Department Building
Washington, D. C.

Dear Mr. Finley:

As a result of the suggestions made for the development of the design for Luxembourg Memorial, made at the meeting of your Commission held February 10 last, Mr. Keally has made studies which were shown to General North yesterday, embodying the recommendation in your 17 February letter to General North, which he has asked me to acknowledge on his behalf.

We are all agreed the suggestions have resulted in improvement of the design, that the simpler plan profile and combining source of light and door in one element at the front have heightened its quality as monument and memorial.

Sincerely yours,

John Harbeson

EXHIBIT C-1

COPY

Morpheotes Building, Philadelphia 5, Pennsylvania

23 February 1955

Re: No. 341 - DRC
Memorandum

Hon. David C. Tinsley
Chairman, The Commission of Fine Arts
Interior Department Building
Washington, D. C.

Dear Mr. Tinsley:

As a result of the suggestions made for the development of the Court in front of the Temporary Building, made at the meeting of your Commission held February 10 last, Mr. Scully has made studies which were shown to General North yesterday, enclosing the recommendation in your 17 February letter to General North, which He has asked me to acknowledge on his behalf.

We are all agreed that suggestions have resulted in improvement of the design, that the simpler plan proffle and consisting coverage of light and deer in the elevert of the front have multiplied the quality to monument and memorial.

Sincerely yours,

John Harbeson

EXHIBIT C-1

COPY

THE MODEL FOR THE GENERAL MITCHELL STATUE

THE PROBLEM POSED BY A PORTRAIT STATUE IS ONE OF THE MOST DIFFICULT IN SCULPTURE. TO COORDINATE THE SPIRIT, A FINE GESTURE, PORTRAITURE AND DETAILS OF CLOTHING AND GEAR INTO HARMONIOUS UNIT, IN A SCULPTURAL AND PLASTIC WAY, IS THE OBJECTIVE.

IN THIS SMALL MODEL, I HAVE CONCENTRATED ON THE SPIRIT AND FEELING OF THE MAN. I CONSIDER THESE FUNDAMENTALS TO BE OF PRIME IMPORTANCE. I HAVE CHOSEN THE UNIFORM OF WORLD WAR I. GENERAL MITCHELL WAS A GREAT AMERICAN, SOLDIER, AIRPOWER PIONEER AND PROPHET EXTRAORDINARY IN THE FIELD OF AVIATION. HE WAS A MAN OF GREAT COURAGE AND DETERMINATION, EVER READY AND EAGER TO GO.

I HAVE CHOSEN TO DEPICT HIM BRACED AGAINST THE WIND, LOOKING SKYWARD. AS A PART OF MY DESIGN, I HAVE SUGGESTED TWO SYMBOLS ON THE BASE OF THE MODEL: ONE IS THE STERN OF A SHIP, SINCE THE SINKING, BY AERIAL BOMBARDMENT, OF THE CAPTURED GERMAN SHIP OSTFRIESLAND IS ONE OF HIS NOTABLE EXPLOITS. THE OTHER SYMBOL REPRESENTS A CUMULUS WITH THREE PLANES, SUMMARILY INDICATED IN LOW RELIEF, SYMBOLS OF HIS VISION IN THE FIELD OF AVIATION.

THE BRONZE FIGURE WILL BE SEVEN FEET FIVE INCHES IN HEIGHT. THE FINISHING AND PATINATION OF THE BRONZE WILL BE DONE UNDER MY DIRECT SUPERVISION. FOR THE PEDESTAL, I AM CONSIDERING USING STONY CREEK OR A SIMILAR GRANITE WITH A HONED FINISH AND APPROPRIATE V-CUT LETTERING.

BRUCE MOORE 10 FEBRUARY 1955.

EXHIBIT D

EXHIBIT D

C O P Y

THE COMMISSION OF FINE ARTS
7000 INTERIOR DEPARTMENT BUILDING
WASHINGTON 25, D. C.

17 February 1955

Dr. Leonard Carmichael, Secretary
The Smithsonian Institution
Washington, D. C.

Dear Dr. Carmichael:

The members of the Commission of Fine Arts were pleased to have Mr. Paul E. Garber, Head Curator, National Air Museum, Smithsonian Institution, and Mr. Bruce Moore, sculptor, present for their consideration the scale model of the statue of General William Mitchell at the Commission's meeting on 10 February 1955. Mr. Garber and Mr. Moore were accompanied by Dr. John L. Keddy, Assistant Secretary, and Mr. Thomas M. Beggs, Director, National Collection of Fine Arts, both of the Smithsonian staff.

The Commission approved the model, which was one-third full size, and will look forward to viewing the full size model when Mr. Moore has it ready.

For the Commission of Fine Arts:

Sincerely yours,
Sgd. David E. Finley
Chairman

EXHIBIT D-1

COPY

THE COMMISSION OF FINE ARTS
7000 INTERIOR DEPARTMENT BUILDING
WASHINGTON 25, D. C.

17 February 1955

Dr. Leonard Carmichael, Secretary
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The Commission approved the model, which was one-third full size, and will look forward to viewing the full size model when Mr. Moore has it ready.

For the Commission of Fine Arts:

Sincerely yours,
Sgd. David E. Finley
Chairman

EXHIBIT D-1

C O P Y

UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON

ice of Plant and Operations

December 9, 1954

Mr. David E. Finley, Chairman
The Commission of Fine Arts
Room 7000 South Interior Building
18th and C Streets, N. W.
Washington 25, D. C.

Dear Mr. Finley:

The Secretary of Agriculture has received inquiries from various artists with reference to painting his official portrait for the Department. It may be possible that the Secretary's schedule would permit sittings for this portrait in the next few months, and we would like to have a list of artists whose work is acceptable to the Commission of Fine Arts.

Three artists who have written to us recently are:

Charles J. Fox
Harry S. Moskovitz
Arthur C. Johnson

We would like to know if their work is also acceptable to the Commission.

Very truly yours,
Sgd. Hugh W. Berger, Chief
Administrative Services Division

EXHIBIT E

COPY

UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON

of Plant and Operations

December 9, 1954

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The Commission of Fine Arts
Room 7000 South Interior Building
18th and C Streets, N. W.
Washington 25, D. C.

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We would like to know if their work is also acceptable to the Commission.

Very truly yours,
Sgd. Hugh W. Berger, Chief
Administrative Services Division

EXHIBIT E

C O P Y

THE COMMISSION OF FINE ARTS
7000 Interior Department Building
Washington 25, D. C.

17 February 1955

Mr. Hugh W. Berger, Chief
Administrative Services Division
Department of Agriculture
Washington D. C.

Dear Mr. Berger:

At a meeting of the Commission of Fine Arts on 10 February 1955, your Department's request for advice in choosing an artist to paint the portrait of Secretary Benson was carefully considered.

In the discussion, Mr. George Biddle, the painter member of the Commission, voiced his belief that the portraits of the high officials of the Federal government should be the work of the most eminent artists in the portrait field and the other members agreed with him. Accordingly they prepared and are forwarding you herewith a list of painters they consider among the best qualified in portraiture and they hope that your Department will consider one of them to do the Secretary's portrait.

The members of the Commission felt that the work of the three painters, on whose work you asked an opinion in your letter of 9 December 1954, was competent but fell below the standard required by the importance of the subject. The photographs of their work which you kindly supplied for study are being returned to you by hand.

The Commission will be pleased to be of further assistance in this matter.

For the Commission of Fine Arts:

David E. Finley
Chairman

Enclosure

EXHIBIT E-1

EXHIBIT E-1

COMMISSION OF FINE ARTS

The Regents of the Smithsonian Institution, the Commission of Fine Arts, and Miss Katharine N. Rhoades, on behalf of Mr. Eugene Meyer, as provided in Paragraph 4 of the Codicil to the Will of the late Charles L. Freer, have examined the following objects:

1 Bronze mirror, Chinese, probably Sui dynasty.

1 Painting, landscape, Chinese, by Ch'êng Sui, 17th century.

1 Painting, landscape, Chinese, by Ch'a Shih-piao, dated in correspondence with 1694.

1 Album of paintings, Chinese, by Hua Yen (16 paintings).

1 Album of paintings, Chinese, by Pa-ta-shan-jên (10 paintings).

1 Painting, of birds, Chinese, by Hui Tsung.

1 Painting, of bamboo, Chinese, by Chao Meng-fu, Kuan Tao-jên, and Chao Yung.

1 Pottery ink-stand, celadon, Chinese, Ch'ing dynasty, Ch'ien-lung period (1736-1796).

1 Pottery plate, Chinese, blue-and-white, with Persian inscription.

1 Pottery vase, Chinese, Sung dynasty, Ch'ing-pai celadon.

1 Pottery bowl, Persian, Nishapur; broken and repaired.

1 Pottery bowl, Persian, broken and repaired.

1 Pottery bowl, Persian, Nishapur, 9th or 10th century, design of 2 birds in black slip on white; broken and repaired.

Exhibit F

COMMISSION OF FINE ARTS

1 Pottery plate, Turkish, so-called Damascus ware, 16th century; design of 3 vases in blue on white,

which have been recommended for purchase for the Freer Gallery of Art by Mr. A. G. Wenley, Director, and they hereby approve the purchase.

For the Regents of the Smithsonian Institution.

10 Feb. 1955

D. E. Finley

For the Commission of Fine Arts.

C O P Y

EXECUTIVE OFFICE OF THE PRESIDENT
BUREAU OF THE BUDGET
WASHINGTON 25, D. C.

December 2, 1954

My dear Mr. Finley:

Pursuant to provisions of Budget Circular A-12, and the delegation of authority from the President referred to therein, the Bureau of the Budget has received a communication regarding the following legislative proposal:

Draft of bill "To provide for the establishment of a Federal Advisory Commission on the Arts, and for other purposes."

Before advising the submitting agency of the relationship of the proposal to the program of the President, the Director of the Bureau of the Budget would appreciate receiving an expression of your views with respect thereto.

It would be appreciated if your reply could be received by

If it is desired to confer on this matter, please communicate with Emory E. Ferebee, Bureau of the Budget, 17th and Pennsylvania Avenue, N. W., telephone Code 189, Branch 575.

In addition to your agency, requests for views have been transmitted to the following agencies:

Sincerely yours,
Sgd. Roger W. Jones
Assistant Director,
Legislative Reference

Honorable David E. Finley, Chairman
Commission of Fine Arts
Washington 25, D. C.

Attention: Linton R. Wilson
7000 S. Interior Building.

Enclosure: Draft bill

EXHIBIT G

EXECUTIVE OFFICE OF THE PRESIDENT
BUREAU OF THE BUDGET
WASHINGTON 25, D. C.

December 2, 1954

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Pursuant to provisions of Budget Circular A-12, and the delegation of authority from the President referred to therein, the Bureau of the Budget has received a communication regarding the following legislative proposal:

Draft of bill "To provide for the establishment of a Federal Advisory Commission on the Arts, and for other purposes."

Before advising the submitting agency of the relationship of the proposal to the program of the President, the Director of the Bureau of the Budget would appreciate receiving an expression of your views with respect thereto.

It would be appreciated if your reply could be received by

If it is desired to confer on this matter, please communicate with Henry R. Perebee, Bureau of the Budget, 17th and Pennsylvania Avenue, N. W., telephone Code 189, Branch 7775.

In addition to your agency, requests for views have been transmitted to the following agencies:

Sincerely yours,
Kgd. Roger W. Jones
Assistant Director,
Legislative Reference

Honorable David E. Finley, Chairman
Commission of Fine Arts
Washington 25, D. C.

Attention: Linton N. Wilson
7000 S. Interior Building.

Enclosure: Draft bill

EXHIBIT G

C O P Y

A B I L L

To provide for the establishment of a Federal Advisory Commission on the Arts, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds, and declares it to be the policy of the Congress in enacting this Act,

(a) That the growth and flourishing of the arts depend upon freedom, imagination, and individual initiative.

(b) That the encouragement of creative activity in the performance and practice of the arts, and of a widespread participation in and appreciation of the arts, is essential to the general welfare and the national interest.

(c) That the encouragement of the arts, while primarily a matter for private and local initiative, is an appropriate matter of concern to the United States Government.

Sec. 2. (a) There is hereby established in the Department of Health, Education, and Welfare a Federal Advisory Commission on the Arts (hereinafter in this Act referred to as the "Commission"). The Commission shall be composed of 21 members appointed by the President, from among private citizens of the United States who are widely recognized for their knowledge of or experience in, or for their profound interest in, one or more of the arts. Members of the Commission shall serve at the pleasure of the President. The Commission shall meet at the call of the Chairman or the Secretary of Health, Education and Welfare (herein referred to as the "Secretary"), but not less often than twice each calendar year. The President shall from time to time designate a member of the Commission to be Chairman.

(b) The Commission shall have an Executive Secretary who shall be paid at the rate of $15,000 per year and shall be appointed, without regard to the civil-service laws, by the Secretary upon recommendation by

A BILL

To provide for the establishment of a Federal Advisory Commission on the Arts, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds and declares it to be the policy of the Congress in enacting this Act,

(a) That the growth and flourishing of the arts depend upon freedom, imagination, and individual initiative.

(b) That the encouragement of creative activity in the performance and practice of the arts, and of a widespread participation in and appreciation of the arts, is essential to the general welfare and the national interest.

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(b) The Commission shall have an Executive Secretary who shall be paid at the rate of $15,000 per year and shall be appointed, without regard to the civil-service laws, by the Secretary upon recommendation by

the Commission. Within the limits of appropriations available therefor, the Secretary shall also provide the Commission, its Executive Secretary, and members of its special committees, necessary secretarial, clerical, and other staff assistance.

Sec. 3. The Commission shall undertake studies of, and make recommendations relating to, appropriate methods, consistent with the policies set forth in section 1, for encouragement of creative activity in the performance and practice of the arts and of participation in and appreciation of the arts. Such studies shall be conducted by special committees of persons, expert in the field of art involved, appointed by the Secretary upon recommendation by the Commission. After considering reports on these studies, the Commission shall make recommendations in writing to the Secretary. In the selection of subjects to be studied and in the formulation of recommendations, the Commission may obtain the advice of any interested and qualified persons and organizations.

Sec. 4. Members of the Commission and members of special committees appointed pursuant to section 3, while attending meetings of the Commission or while engaged in the conduct of studies hereunder, shall receive compensation at a rate to be fixed by the Secretary, but not exceeding $50 per diem, and shall be paid travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 734-2) for persons in the Government service employed intermittently.

Sec. 5. There are hereby authorized to be appropriated to the Department of Health, Education, and Welfare such sums as may be necessary to carry out this Act, including expenses of professional, clerical, and stenographic assistance. Such appropriations shall be available for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

Sec. 5. There are hereby authorized to be appropriated to the Department of Health, Education, and Welfare such sums as may be necessary to carry out this Act, including expenses of professional, clerical, and other staff assistance.

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Sec. 6. Nothing in this Act shall be deemed to supersede, duplicate, restrict, or otherwise impinge upon, the duties of the Commission of Fine Arts under the Act of May 17, 1910 (36 Stat. 371; 40 U.S.C. 104, 106), as amended, to advise responsible officers of any Federal agency, the President, or any Committee of either House of Congress upon the location of statues, fountains, and monuments in the public squares, streets, and parks in the District of Columbia, and upon the selection of models for statues, fountains, and monuments erected under the authority of the United States and upon the selection of artists for the execution of the same; or the duties and functions of the Commission of Fine Arts under an Act "To regulate the height, exterior design and construction of private and semi-public buildings in certain areas of the National Capital", approved May 16, 1930 (46 Stat. 366; 40 U.S.C. 121), as amended, or an Act "To regulate the height, exterior design, and construction of private and semipublic buildings in the Georgetown area of the National Capital", approved September 22, 1950 (64 Stat. 903).

Sec. 6. Nothing in this Act shall be deemed to supersede, duplicate, restrict, or otherwise impinge upon, the duties of the Commission of Fine Arts under the Act of May 17, 1910 (36 Stat. 371; 40 U.S.C. 104, 105), as amended, to advise responsible officers of any Federal agency, the President, or any Committee of either House of Congress upon the location of statues, fountains, and monuments in the public squares, streets, and parks in the District of Columbia, and upon the selection of models for statues, fountains, and monuments erected under the authority of the United States and upon the selection of artists for the execution of the same; or the duties and functions of the Commission of Fine Arts under an Act "To regulate the height, exterior design and construction of private and semi-public buildings in certain areas of the National Capital", approved May 16, 1930 (46 Stat. 366; 40 U.S.C. 121), as amended, or an Act "To regulate the height, exterior design, and construction of private and semipublic buildings in the Georgetown area of the National Capital", approved September 22, 1950 (64 Stat. 903).

C O P Y

THE COMMISSION OF FINE ARTS
7000 INTERIOR DEPARTMENT BUILDING
WASHINGTON 25, D. C.

December 10, 1954

Dear Mr. Jones:

I have your letter of December 2nd, enclosing a draft of a bill "To provide for the establishment of a Federal Advisory Commission on the Arts, and for other purposes."

I have brought the proposed legislation to the attention of the members of the Commission of Fine Arts, who have asked me to say that, in their opinion, there is no objection to the enactment of the proposed legislation. The members note that the Federal Advisory Commission on the Arts, which would be established under the proposed legislation, would be of an advisory nature rather than an operating agency and would not, therefore, confer undue authority in the hands of a Federal agency over art activities throughout the country.

The members of the Commission suggest that it might be advisable to refer in the proposed bill to all the legislative enactments, including the Act of Congress of April 30, 1926, and also the Executive Orders of February 2, 1912, November 28, 1913, and July 28, 1921, (copies enclosed) which vest certain authority in the Commission of Fine Arts. All such authority and corresponding functions of the Commission of Fine Arts should be specifically exempted in the proposed law, unless that law includes a general statement such as the following: "This Act shall not be deemed to invalidate any provision in an Act of Congress or an Executive Order vesting authority in the Commission of Fine Arts."

For The Commission of Fine Arts:

Sincerely yours,
Sgd. David E. Finley
Chairman

Mr. Roger W. Jones
Assistant Director
Legislative Reference
Bureau of the Budget
Washington, D. C.

def/pav

EXHIBIT G-1

COPY

THE COMMISSION OF FINE ARTS
7000 INTERIOR DEPARTMENT BUILDING
WASHINGTON 25, D. C.

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For The Commission of Fine Arts:

Sincerely yours,
Sgd. David E. Finley
Chairman

Mr. Roger W. Jones
Assistant Director
Legislative Reference
Bureau of the Budget
Washington, D. C.

def/pav

EXHIBIT C-1

C O P Y

DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE
Zone 25

10 January 1955

Dear Mr. Finley:

Enclosed is a copy of a letter I have written to Mr. Rowland Hughes, Director of the Bureau of the Budget, in which we indicate our acceptance of your suggested amendment to our draft bill to establish a Federal Advisory Commission on the Arts.

The reference on the first page of the enclosed letter to your concurrence in the stated understanding as to the respective responsibilities of your Commission and the proposed new Commission is based on assurance given us by Mr. Wilson, Executive Secretary of your Commission.

Sincerely yours,
Sgd. Roswell B. Perkins
Acting Secretary

Mr. David E. Finley
Chairman
Commission of Fine Arts

Enclosure

EXHIBIT G-2

COPY

DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE
Zone 25

10 January 1955

Dear Mr. Finley:

Enclosed is a copy of a letter I have written to Mr. Rowland Hughes, Director of the Bureau of the Budget, in which we indicate our acceptance of your suggested amendment to our draft bill to establish a Federal Advisory Commission on the Arts.

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Acting Secretary

Mr. David E. Finley
Chairman
Commission of Fine Arts

Enclosure

C O P Y

DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE
WASHINGTON
Zone 25

January 10, 1955

Dear Mr. Hughes:

In our letter to you of November 29, 1954, we transmitted for clearance a draft legislative proposal "To provide for the establishment of a Federal Advisory Commission on the Arts, and for other purposes."

We understand that the Commission of Fine Arts, to whom you sent a copy of the draft proposal for comment, has advised you that it would have no objection to the bill but would prefer to see the bill amended to make it clear that enactment of the bill would not invalidate any Act or Executive order vesting authority in that Commission.

As a result of our discussions with representatives of the Commission of Fine Arts, we are convinced that there would be no conflict in, or duplication of, authority or responsibility as between that Commission and the Federal Advisory Commission on the Arts proposed in the bill.

While the Commission of Fine Arts has authority under the Act of May 17, 1910 (40 U.S.C. 104) to "advise generally upon questions of art when required to do so by the President, or by any committee of either House of Congress", the Commission construes this clause as directed toward questions concerning the artistic merit or demerit of particular works of art, or concerning the artistic implications of particular work projects, in which the Federal Government has an interest. That Commission does not construe the clause as making it responsible for advising on appropriate methods for encouragement of creative activity in the performance and practice of the arts, or on methods for encouragement of participation in and appreciation of the arts, which would be the responsibility of the Federal Advisory Commission on the Arts under our legislative proposal.

On the basis of this understanding as to the respective responsibilities of the Commission of Fine Arts and of the proposed new Commission, in which understanding Mr. David Finley, Chairman of the Commission of Fine Arts, concurs, we would have no objection to substituting for section 7 of our draft bill of November 29, 1954, a new section along the lines suggested by Mr. Finley as follows:

> "Sec. 6. This Act shall not be deemed to invalidate any provision in any Act of Congress or Executive Order vesting authority in the Commission of Fine Arts."

In the light of discussions had with members of your staff, we are agreeable to the following additional changes in our draft bill of November 29, 1954:

COPY

DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE
WASHINGTON
Zone 25

January 10, 1955

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In the light of discussions had with members of your staff, we are agreeable to the following additional changes in our draft bill of November 29, 1954:

1. Appointment of the Executive Secretary of the Commission and of members of special study committees by the Secretary "after consultation with" the Commission, in lieu of appointment "upon recommendation of" the Commission.

2. Appointment of the Executive Secretary in accordance with civil-service laws, in lieu of his appointment "without regard to civil-service laws". It is our understanding that the policy-making characteristics of this position are such as to warrant its being put in Schedule C once the bill has been enacted, thus obviating the need for any specific exemption of the position from civil-service laws.

3. The bill will be silent as to the salary of the Executive Secretary, in lieu of providing specifically for a salary of $15,000 per year. We assume that the position is such as to warrant a super-grade at GS-16, which corresponds with the grade held by comparable positions in the Department. Should there be any doubt as to the availability of a position at at least this grade for the Executive Secretary after the bill is enacted, or the eligibility of the position for that grade, we would like to reconsider the advisability of either specifically fixing this salary ($12,000 per year) in the bill or providing in the bill authority for the establishment of an additional super-grade at this level.

The suggestion has also been made that members of the Commission be appointed by the Secretary rather than by the President. We feel very strongly that the effectiveness of the Commission would be seriously impaired by such a change and, therefore, cannot agree to any change in the bill on this score.

Copies of the draft bill amended to reflect the changes indicated above are attached. We respectfully request clearance of the bill as so amended.

We are sending a copy of this letter to Mr. Finley, Chairman of the Commission of Fine Arts.

Sincerely yours,
Sgd. Roswell B. Perkins
Acting Secretary

Hon. Rowland R. Hughes
Director, Bureau of the Budget

Enclosures

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Acting Secretary

Hon. Rowland R. Hughes
Director, Bureau of the Budget

Enclosures

C O P Y

A B I L L

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(a) That the growth and flourishing of the arts depend upon freedom, imagination, and individual initiative.

(b) That the encouragement of creative activity in the performance and practice of the arts, and of a widespread participation in and appreciation of the arts, is essential to the general welfare and the national interest.

(c) That the encouragement of the arts, while primarily a matter for private and local initiative, is an appropriate matter of concern to the United States Government.

Sec. 2. (a) There is hereby established in the Department of Health, Education, and Welfare a Federal Advisory Commission on the Arts (hereinafter in this Act referred to as the "Commission"). The Commission shall be composed of 21 members appointed by the President, from among private citizens of the United States who are widely recognized for their knowledge of or experience in, or for their profound interest in, one or more of the arts. Members of the Commission shall serve at the pleasure of the President. The Commission shall meet at the call of the Chairman or the Secretary of Health, Education, and Welfare (herein referred to as the "Secretary"), but not less often than twice each calendar year. The President shall from time to time designate a member of the Commission to be Chairman.

(b) The Commission shall have an Executive Secretary who shall be appointed by the Secretary after consultation with the Commission. Within the limits of appropriations available therefor, the Secretary shall also

COPY

A BILL

To provide for the establishment of a Federal Advisory Commission on the Arts, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds and declares it to be the policy of the Congress in enacting this Act;

(a) That the growth and flowering of the arts depend upon freedom, imagination, and individual initiative.

(b) That the encouragement of creative activity in the performance and practice of the arts, and of a widespread participation in and appreciation of the arts, is essential to the general welfare and the national interest.

(c) That the encouragement of the arts, while primarily a matter for private and local initiative, is an appropriate matter of concern to the United States Government.

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(b) The Commission shall have an Executive Secretary who shall be appointed by the Secretary after consultation with the Commission. Within the limits of appropriations available therefor, the Secretary shall also

provide the Commission, its Executive Secretary, and members of its special committees, necessary secretarial, clerical, and other staff assistance.

Sec. 3. The Commission shall undertake studies of, and make recommendations relating to, appropriate methods, consistent with the policies set forth in section 1, for encouragement of creative activity in the performance and practice of the arts and of participation in and appreciation of the arts. Such studies shall be conducted by special committees of persons, expert in the field of art involved, appointed by the Secretary after consultation with the Commission. After considering reports on these studies, the Commission shall make recommendations in writing to the Secretary. In the selection of subjects to be studied and in the formulation of recommendations, the Commission may obtain the advice of any interested and qualified persons and organizations.

Sec. 4. Members of the Commission and members of special committees appointed pursuant to section 3, while attending meetings of the Commission or while engaged in the conduct of studies hereunder, shall receive compensation at a rate to be fixed by the Secretary, but not exceeding $50 per diem, and shall be paid travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 734-2) for persons in the Government service employed intermittently.

Sec. 5. There are hereby authorized to be appropriated to the Department of Health, Education, and Welfare such sums as may be necessary to carry out this Act, including expenses of professional, clerical, and stenographic assistance. Such appropriations shall be available for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

Sec. 6. This Act shall not be deemed to invalidate any provision in any Act of Congress or Executive Order vesting authority in the Commission of Fine Arts.

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SALARIES AND EXPENSES, COMMISSION OF FINE ARTS

DIGEST OF STATEMENT OF DAVID E. FINLEY, CHAIRMAN, COMMISSION OF FINE ARTS, BEFORE THE SUBCOMMITTEE OF THE HOUSE ON APPROPRIATIONS FOR THE DEPARTMENT OF THE INTERIOR

For the fiscal year 1956, the Commission of Fine Arts is requesting an appropriation of $21,200 which is the same amount as was appropriated for the current fiscal year 1955.

The Commission of Fine Arts was created by Congress on May 17, 1910. The Commission advises, on request, the President, Committees of Congress and Members, individually, and heads of departments and agencies of the Government with reference to fine arts projects with which the Government is concerned. Principal laws administered by the Commission are the Shipstead-Luce Act and the "Old Georgetown Law".

EXHIBIT H

SALARIES AND EXPENSES, COMMISSION OF FINE ARTS

STATEMENT OF DAVID E. FINLEY, CHAIRMAN, COMMISSION OF FINE ARTS, BEFORE THE SUBCOMMITTEE OF THE HOUSE ON APPROPRIATIONS FOR THE DEPARTMENT OF THE INTERIOR

For the fiscal year 1956, the Commission of Fine Arts is asking $21,200, which is the same amount as was appropriated for the current fiscal year 1955.

The Commission of Fine Arts was created by Congress on May 17, 1910. The seven members of the Commission are appointed by the President of the United States from leaders in the respective professions represented on the Commission: three architects, a landscape architect and city planner, a sculptor, a painter, and a layman interested in the fine arts. All are competent judges of the fine arts, as required by law.

The Commission advises, on request, the President, Committees of Congress and Members, individually, and heads of departments and agencies of the Government with reference to fine arts projects with which the Government is concerned. Before the establishment of the Commission of Fine Arts in 1910, it was customary to appoint a special commission or committee which, after a design had been agreed upon and a contract let, would be disbanded, thus necessitating a repetition of this procedure when another project required consideration.

In accordance with the Act of Congress, approved May 16, 1930, the Commission administers what is known as the Shipstead-Luce Act, pursuant to which the Commissioners of the District of Columbia, through the Office of the Director of Inspection, submit to the Commission designs for private buildings adjacent to areas specified in the Act, in particular

the central area of the National Capital. Since the enactment of the law in 1930, there have been 1,712 cases submitted to the Commission. In fiscal year 1954 there were 99 cases.

The Commission also administers what is known as the "Old Georgetown Law," which was enacted by Congress on September 22, 1950. The purpose of the law is to preserve and protect the architectural integrity of Georgetown, which was a thriving colonial town when the city of Washington was founded. In this work the Commission has the assistance of a board of three consulting architects, who meet each week and serve on a voluntary basis. Since the enactment of the law, there have been more than 1,008 submissions to the Commission by the Commissioners of the District of Columbia, through the Office of the Director of Inspection. In fiscal year 1954 there were 220 cases.

Periodic and special reports are prepared by the Commission. In July 1953, the Commission of Fine Arts made a report to the President entitled "Art and Government". It was made at the direction of the President and comprised a survey of the Government's activities in the field of art. It is planned to issue the Sixteenth Report of the Commission of Fine Arts, covering the years from 1 July 1948 through 30 June 1954, before 30 June 1955.

84TH CONGRESS
1ST SESSION

H. R. 2625

IN THE HOUSE OF REPRESENTATIVES

JANUARY 20, 1955

MR. METCALF introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To establish a program of grants to States for the development of fine arts programs and projects, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "American National Arts Act".

STATEMENT OF FINDINGS AND POLICY

SEC. 2. (a) The Congress hereby finds that great contributions can be and are being made by the fine arts to the morale, health, and general welfare of the Nation. The Congress, recognizing the fact that man cannot live by bread alone, further finds that an education which

EXHIBIT X

In H. R. 2210-84th Cong. Sec 2 (b) (2) reads as follows: (2) to establish in the executive branch of the Government a Federal agency to advise and cooperate with public and private agencies and organizations operating in the field of the fine arts on all matters directly or indirectly concerned with these objects, and to establish an advisory body of experts eminent in the fine arts to assist such agency in its activities;

arts in order to serve better the needs of the people of the United States, and to encourage the growth and development of the fine arts throughout the United States for the purpose of developing greater knowledge, understanding, and practice of the fine arts; (2) to facilitate the formulation of plans for the development of the fine arts in time of war, depression, or other national emergency, in order to prevent our cultural institutions from shrinking in importance or passing out of existence and to avoid the often deplorable standards exemplified by art projects of Federal agencies at such times in the past, and in order to offset declining employment by providing for Federal assistance to States and local governments in projects for the construction, alteration, expansion, and repair of public facilities and for the development of cultural programs; (3) to integrate,

coordinate, improve, and raise the standards of the fine arts programs which are presently being carried on in more than fifteen Federal departments and agencies; (4) to reaffirm our faith in fundamental human rights, and in the dignity and worth of the human person; to fortify and preserve the principles of democracy, personal freedom, and political liberty, the constitutional traditions, and the rule of law, which are our heritage; and to strengthen, with these aims in view, the social and cultural ties which unite us as a people and with the free nations of the world, with our allies, and with other States inspired by the same ideals and animated by a like determination to resist aggression; (5) to stimulate private, business, and foundation giving to the liberal and fine arts; (6) to protect and preserve our artistic and historic inheritance through the protection and restoration of historic monuments, houses, buildings, and sections of our cities; and (7) to destroy finally the Communist myth that Americans are insensitive, materialistic barbarians.

TITLE I—GRANTS TO STATES FOR THE DEVELOPMENT OF FINE ARTS PROGRAMS AND PROJECTS

DECLARATION OF PURPOSE

SEC. 101. The purpose of this title is—

(1) to assist the several States to inventory their

existing programs in the fine arts of music, dance, theater, literature, architecture, painting, sculpture, and the other fine arts, to survey the need for additional programs in these arts, and to develop programs and projects for public and other nonprofit activities in the fine arts in such a manner as will, in conjunction with existing programs and facilities, furnish adequate programs, facilities, and services in the fine arts to all their people;

(2) to assist in the construction of public and other nonprofit centers for music, dance, theater, literature, architecture, painting, sculpture, and the other fine arts in accordance with such programs, and particularly to assist in the construction of such centers in communities where urban renewal or redevelopment projects have been undertaken by local public agencies as provided in title I of the Housing Act of 1949, as amended;

(3) to assist the several States to protect and preserve our artistic and historic inheritance through the protection and restoration of historic monuments, houses, buildings, and sections of our cities;

(4) to assist the several States in developing projects and programs designed to supply leadership, training, and experience in the field of the fine arts; and

(5) to authorize the Secretary to conduct and

make grants for the conduct of research, experiments, and demonstrations relating to the effective development and utilization of facilities and resources in the fields of the fine arts, and to encourage the presentation in all parts of the country of productions and programs in every field of the fine arts.

AUTHORIZATION OF APPROPRIATIONS

SEC. 102. In order to assist the States in carrying out the purpose of this title and the purpose of this Act, there are hereby authorized to be appropriated for the fiscal year 1955 and subsequent fiscal years such sums, not to exceed $5,500,000 for any one fiscal year, as may be necessary for the effective development of public and other nonprofit fine arts programs and projects.

STATE PLANS

SEC. 103. (a) Any State which desires to take advantage of the benefits of this title may submit a State plan for carrying out the purpose of this title. Such State plan must—

(1) designate the State department of education or a similar State agency selected by the Governor (hereinafter in this title referred to as the "State agency") as the sole agency for the administration, supervision, and control of the State plan;

(2) contain satisfactory evidence that the State

agency will have authority to carry out such plan in accordance with this title;

(3) provide that the State treasurer (or, if there is no State treasurer, the officer exercising similar functions for the State) be appointed as custodian of funds received under this title from the Federal Government and receive and provide for the proper custody of such funds;

(4) set forth the program, policies, and methods to be followed in carrying out the State plan and in its administration and supervision;

(5) contain adequate assurances that high standards will be maintained for the fine arts programs and projects assisted under this title;

(6) provide for such methods of administration as the Secretary deems necessary for the proper and efficient administration of the plan;

(7) provide that the State agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as the Secretary may find necessary to assure the correctness and verification of such reports;

(8) provide such rules, regulations, and standards with respect to expenditures of funds made available

under this title as the Secretary may find reasonable and necessary; and

(9) provide that the State agency will from time to time review its fine arts programs and projects and submit to the Secretary any modifications thereof which it considers appropriate.

(b) The Secretary shall approve any State plan and any modification thereof which he believes to be feasible and which complies with subsection (a).

(c) No changes in a State plan shall be required within two years after the initial approval thereof, or within two years after any change thereafter required therein, by reason of any change in regulations prescribed by the Secretary, except with the consent of the State or in accordance with further action by the Congress.

(d) The State plan may include standards for determination of the Federal share of the cost of fine arts programs and projects approved in the State. Such standards shall provide equitably (and, to the extent practicable, on the basis of objective criteria) for variations between programs and classes of programs, and between projects and classes of projects, on the basis of the economic and cultural status of areas, the relative need for additional programs and projects as between areas, and other relevant factors. No such standards shall provide for a Federal share of more than 50

per centum of the cost of any such program or project. The Secretary shall approve any such standards and any modifications thereof which comply with the purpose of this title and the purpose of this Act.

CONSTRUCTION PROJECTS

SEC. 104. For each project undertaken pursuant to a State plan to carry out the purpose of section 101 (2), there shall be submitted to the Secretary a special application by the State agency or by the political subdivision, institution, or organization undertaking the project. Such application shall set forth such information (including a description of the project and its plans and specifications in detail) and assurances as the Secretary may require. The Secretary shall approve such application if he determines that the project is feasible, desirable, and consistent with this Act, and if he determines, on the basis of consultation with the Council of Economic Advisers, that the project is consistent with the policy of the Employment Act of 1946 and the responsibility of the Federal Government thereunder in promoting maximum employment, production, and purchasing power; and no Federal funds shall be available for the project until the application has been so approved. No such application shall be disapproved until the Secretary has afforded the State agency an opportunity for a hearing.

ALLOTMENTS TO STATES

SEC. 105. (a) Each State for which a State plan has been approved prior to or during a fiscal year shall be entitled for such year to an allotment not to exceed $100,000 (as determined by the Secretary within the limits of available appropriations) to assist in defraying the cost of approved programs and projects in the fine arts within such State for that fiscal year. Such allotment shall be available, in accordance with this title, for payment of the Federal share of such cost.

(b) The Secretary shall calculate the allotments to be made under subsection (a) and certify to the Secretary of the Treasury the amounts thereof. Upon receipt of such certification, the Secretary of the Treasury shall, prior to audit or settlement by the General Accounting Office, pay in accordance with such certification. Sums allotted to a State for a fiscal year under this section and remaining unobligated at the end of such year shall be made available to such State for the same purposes for the next fiscal year (and for such year only, except in the case of sums allotted to carry out the purpose of section 101 (2)) in addition to the sums allotted to such State for such next fiscal year. Any amount of the sum appropriated pursuant to the authorization con-

tained in section 102 for a fiscal year which is not allotted in such year by reason of the failure of any State or States to have a plan approved under this title, and any amount allotted to a State but remaining unobligated at the end of the period for which it is available to such State under the preceding sentence, is hereby authorized to be appropriated for the next fiscal year in addition to the sum otherwise authorized for such next fiscal year under section 102.

(c) For the purposes of this section, the term "Federal share" with respect to any program or project means the proportion of the cost of such program or project to be paid by the Federal Government, and shall be determined as follows:

(1) If the State plan in effect at the time of such program or project contains standards approved by the Secretary as provided in section 103 (d), the Federal share with respect to such program or project shall be determined by the State agency in accordance with such standards;

(2) If the State plan does not contain such standards, the Federal share shall be the amount, not more than 50 per centum of the cost of the program or project involved as established by the State agency, determined by the Secretary at the time he approves the State plan.

WITHHOLDING OF CERTIFICATION

SEC. 106. Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency, finds—

(1) that such agency is not complying substantially with the provisions of this title or the terms and conditions of its State plan approved under this title;

(2) that any funds paid to such agency under this title have been diverted from the purposes for which they were allotted or paid;

(3) that any assurance given in the State plan is not being or cannot be carried out; or

(4) that adequate State funds are not being provided annually for the direct administration of the State plan,

the Secretary may forthwith notify the Secretary of the Treasury and the State agency that no further certification will be made under this title with respect to such State agency until there is no longer any default or failure to comply or the diversion has been corrected, or, if compliance or correction is impossible, until the State repays or arranges the repayment of the Federal funds which have been improperly diverted or expended.

DEFINITIONS

SEC. 107. For the purposes of this title—

(1) The term "Secretary" means the Secretary of Health, Education, and Welfare; and

(2) The term "State" means a State, the District of Columbia, Alaska, Hawaii, Puerto Rico, or the Virgin Islands.

ADMINISTRATION OF TITLE I

SEC. 108. (a) The Secretary is authorized to make such administrative regulations and perform such other functions as he finds necessary to carry out the provisions of this title.

(b) In administering this title, the Secretary is authorized to utilize the services and facilities of any executive department or agency in accordance with an agreement with the head thereof. Payment for such services and facilities shall be made in advance or by way of reimbursement, as may be agreed upon between the Secretary and the head of the executive department or agency furnishing them.

TITLE II—MISCELLANEOUS PROVISIONS

THE COMMISSION OF FINE ARTS

SEC. 201. The Act entitled "An Act establishing a Commission of Fine Arts", approved May 17, 1910 (40 U. S. C., secs. 104–106), is amended to read as follows:

"That (a) a permanent Commission of Fine Arts is hereby created, to be composed of fifteen well-qualified

judges of the fine arts, who shall be appointed by the President, and who shall serve for a period of four years each, and until their successors are appointed and qualified. The President shall have authority to fill all vacancies.

"(b) The President, in appointing the members of the Commission, shall give due consideration to any recommendations which may be submitted to him by the National Music Council, the Committee on Government and Art, the Music Educators National Conference, the American Council of Learned Societies, the American Library Association, the American Federation of Labor, the American Educational Theater Association, the American National Theater and Academy, the Association of American Colleges, the National Education Association, the Motion Picture Association of America, the National Association of Radio and Television Broadcasters, the Film Council of America, the National Citizens Committee for Educational Television, the Association of Land-Grant Colleges and Universities, the National Recreation Association, the National Art Education Association, the American Council on Education, the National Trust for Historic Preservation, the Children's Theatre Conference, the National Theater Conference, the National Association of Community Theaters, the American Recreation Society, the American Federation of Musicians, and other organizations and institutions in the fields of the fine

arts, education, recreation, and public affairs. The persons nominated for appointment as members (1) shall be eminent in the fields of the fine arts and the educational fine arts; (2) shall be selected solely on the basis of established records of distinguished service; and (3) shall be so selected as to provide adequate representation for the views of leaders in the fine arts in all areas of the Nation.

"(c) Any person who has been a member of the Commission for four consecutive years shall thereafter be ineligible for appointment during the two-year period following the expiration of such fourth year.

"SEC. 2. It shall be the duty of the Commission to advise generally upon questions of art when requested to do so by the President, or by any committee of the Senate or the House of Representatives, and also to advise upon the location of statues, fountains, and monuments in the public squares, streets, and parks in the District of Columbia, and upon the selection of models for statues, fountains, and monuments erected under the authority of the United States, and upon the selection of artists for the execution of the same. It shall also be the duty of the Commission to advise upon architecture, painting, sculpture, music, dance, theater, writing, and the other fine arts, in the District of Columbia. It shall be the duty of the officers charged by law to determine such questions in each case to call for such advice.

The foregoing provisions of this section shall not apply to the Capitol Building of the United States or to the building of the Library of Congress.

"SEC. 3. The Commission shall have a secretary and such other assistance as the Commission may authorize, and the members of the Commission shall each be paid actual expenses incurred in going to and returning from Washington to attend the meetings of the Commission and while attending the same.

"SEC. 4. The Commission of Fine Arts is hereby authorized and directed to establish a number of annual prizes to be awarded for outstanding contributions made by individuals and organizations to the beautification of the city of Washington and the advancement of its progress in the fine arts, to be given in annual ceremonies by the President to those chosen for contributions made in this field.

"SEC. 5. To meet the expenses made necessary by this Act, an appropriation of not exceeding $50,000 a year is hereby authorized."

THE SMITHSONIAN ART COMMISSION

SEC. 202. (a) There is hereby established a commission to be known as the Smithsonian Art Commission (hereinafter in this section referred to as the "Commission"). The Commission shall give consideration to all matters pertaining to the fine arts coming under the juris-

diction of the Smithsonian Institution, and shall report thereon to the Board of Regents of the Smithsonian Institution.

(b) The Commission shall consist of fifteen members—seven artists and seven well-qualified judges of the fine arts who shall be appointed by the Board of Regents, and the Secretary of the Smithsonian Institution, who shall be an ex officio member of the Commission. The persons so appointed (1) shall be eminent in the fields of the fine arts and the educational and recreational fine arts or public affairs; (2) shall be selected solely on the basis of established records of distinguished service; and (3) shall be selected so as to provide adequate representation for the views of leaders in the fine arts in all areas of the Nation. The Board of Regents is requested, in making such appointments, to give due consideration to any recommendations which may be submitted to it by the Committee on Government and Art, the American Council of Learned Societies, the American Association of Museums, the American Federation of Arts, the American Institute of Architects, the American Institute of Decorators, the Association of Art Museum Directors, the College Art Association of America, the National Academy of Design, the National Association of Women Artists, the National Institute of Arts and Letters, the National Society of Mural Painters, the Sculptors Guild, the American Society

In H. R. 2210-84th Congress, under The Smithsonian Commission Sec. 202 (d) reads as follows:

(d) Each member of the Commission not holding either office in the Federal Government shall receive compensation at the rate of $25 for each day he is actually engaged in the business of the Commission pursuant to authorization of the Commission, and shall be allowed travel expenses as authorized by section 5 of the Administrative Expenses Act of 1946.

person who has been a member of the Commission for four years shall thereafter be ineligible for appointment during the two-year period following the expiration of such fourth year.

(c) Vacancies in the membership of the Commission shall be filled by appointment by the Board of Regents, and any member elected to fill a vacancy shall serve for the remainder of his predecessor's term.

(d) The Commission shall have the authority to prescribe such rules and regulations as it deems necessary governing the manner of its operations and its organization, the time and place of its meetings, the establishment of standing committees, subcommittees, advisory committees, and vacancies, and prescribing the duties of such committees.

(e) The primary functions of the Commission shall be (1) to promote the administration, development, and utilization of the National Collection of Fine Arts, including the acquisition of material of high quality representing the fine

"audits utilization for instruction." is added in H. R. 2210-84th Congress.

arts; and (2) to study the best methods of exhibiting material to the public. All plans for administration of the collections proposed by the Commission shall be submitted to the Smithsonian Institution for approval and action.

(f) A report of the operations of the Commission for each year shall be submitted with the report of the Secretary of the Smithsonian Institution at the annual meeting of the Board of Regents on the first Tuesday in December, and shall be printed in the annual report of the Board to Congress, under the heading "National Collection of Fine Arts".

84TH CONGRESS
1ST SESSION

H. R. 2625

A BILL

To establish a program of grants to States for the development of fine arts programs and projects, and for other purposes.

By Mr. METCALF

JANUARY 20, 1955

Referred to the Committee on Education and Labor